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Attorneys for Defendant
**BROOKS GROUP INSURANCE
AGENCY, LLC**

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BASS UNDERWRITERS, INC.,

Plaintiff,

vs.

DAVID KONO, BROOKS GROUP
INSURANCE AGENCY, LLC,

Defendants.

Case No. 2:22-cv-00138-RFB-EJY

**STIPULATION AND ORDER TO
EXTEND DEADLINES**

(Fifth Request)

Defendants Brooks Insurance Agency, LLC (“Brooks”), David Kono (“Kono”), and Plaintiff Bass Underwriters, Inc. (“Bass”) (collectively, the “Parties”), by and through their respective attorneys of record, stipulate and agree as follows:

1. On June 7, 2024, Plaintiff Bass and Defendant Brooks submitted a Joint Motion to Extend Discovery Deadlines [ECF No. 126].
2. On or around June 24, 2024, Magistrate Judge Youchah ordered the Parties to conduct a mediation on July 18, 2024, and for Bass and Brooks to file a status report regarding discovery on or before August 15, 2024.
3. The Parties understood that the requested status report would outline what additional discovery would be needed if the mediation were unsuccessful.

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1 4. On July 16, 2024, local counsel, Ropers Majeski, and national counsel, ArentFox
2 Schiff, for Brooks filed a Motion to Withdraw as Counsel for Brooks and Continue Mediation [ECF
3 No. 130].

4 5. Also, on July 16, 2024, the Parties filed a Joint Stipulation to Continue Mediation
5 [ECF No. 132] to allow Brooks to find new counsel and allow sufficient time for Brooks' new
6 counsel to prepare for mediation.

7 6. On July 17, 2024, Magistrate Judge Youchah granted the Parties' Joint Stipulation to
8 Continue Mediation and ordered the Parties to conduct a mediation no later than September 20,
9 2024, and for the Parties to file a status report regarding discovery on or before September 30, 2024.
10 Once again, the Parties understood that the requested status report would outline what additional
11 discovery would be needed if the mediation were unsuccessful.

12 7. On July 19, 2024, the Court entered its Order [ECF No. 136] granting Brooks'
13 Unopposed Motion to Withdraw as Counsel.

14 8. Despite its diligent efforts, Brooks was unable to retain new counsel until September.

15 9. On September 9, 2024, newly retained counsel for Brooks, the law firm of
16 Bailey ♦ Kennedy, filed its Notice of Appearance [ECF No. 139].

17 10. On September 23, 2024, Magistrate Judge Youchah granted the Parties' Joint
18 Stipulation to Continue Mediation and ordered the Parties to conduct mediation on October 21,
19 2024, and for the Parties to file a status report regarding discovery on or before October 31, 2024
20 [ECF No. 142].

21 11. Brooks is still in the process of coordinating the transfer of its file to
22 Bailey ♦ Kennedy, which—to Bailey ♦ Kennedy's understanding—contains hundreds of thousands of
23 documents.

24 12. As a result of Brooks' efforts to find new counsel and the Parties' attempt to conduct
25 mediation, additional time to conduct discovery will be necessary if the mediation is unsuccessful.
26 Thus, the Parties have agreed to a continuation of the discovery and other deadlines, as set forth
27 below:

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Name of Deadline	Current Deadline	Proposed Deadline
Discovery Cut-Off	Previously was September 5, 2024, however, the Court recently set the discovery status report for October 31, 2024	January 17, 2025
Dispositive Motions	October 28, 2024	February 14, 2025
Joint Pretrial Order	November 28, 2024	April 2, 2025

13. This stipulation is submitted in good faith and not to delay the proceedings.

DATED this 8th day of November, 2024.

DATED this 8th day of November, 2024.

COZEN O'CONNOR

BAILEY ♦ KENNEDY

By: /s/ Karl O. Riley
KARL O. RILEY

By: /s/ Jarod B. Penniman
DENNIS L. KENNEDY
JOSEPH A. LIEBMAN
JAROD B. PENNIMAN

Attorneys for Plaintiff
BASS UNDERWRITERS, INC.

Attorneys for Defendant
BROOKS GROUP INSURANCE
AGENCY, LLC

DATED this 8th day of November, 2024.

**ZUMANO PATRICIOS POPOK &
HELSTEN**

By: /s/ Amanda J. Brookhyser
AMANDA J. BROOKHYSER

Attorneys for Defendant
DAVID KONO

IT IS SO ORDERED:


DAYNA J. ZOUCHAK
UNITED STATES MAGISTRATE JUDGE

DATED: November 8, 2024